

PETER N. HADIARIS, ESQ.  
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600 Harrison St., Ste 120  
San Francisco, CA 94107  
(415) 593-0077  
Attorney for debtor

UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA

In Re: )  
LYZA CHAVEZ ) No. 10-12372  
Debtor(s) ) Chapter 13  
\_\_\_\_\_) OBJECTION TO  
CLAIM OF FORD  
MOTOR CREDIT CORP.  
(Claim 7)

The debtor(s) object(s) to the following claim:

<u>Creditor</u>	<u>Claim As Filed</u>	<u>Correct Claim</u>
Ford Motor Credit Company	\$16,841.81 total \$15,160.00 secured	\$16,841.81 total \$11,660.00 secured

The grounds for this objection are that the creditor has overstated the value of the collateral by improperly using the dealer's retail value from Kelly Blue Book, instead of private party sale value. Dealer's retail value presumes a reconditioned vehicle in excellent condition, and then reflects the dealer's asking price, not the actual sale price.

Bankruptcy Local Rule 9014-1 of the United States Bankruptcy Court of the Northern District of California prescribes the procedures to be followed. Any objection to the disallowance of these claims, or a request for hearing in this matter, must be filed and served on the debtor's counsel within twenty days of the mailing of this notice. An objection or request for hearing

1 must be accompanied by any declarations or memoranda which you  
2 want the court to consider in support of your position. If there  
3 is no timely objection or request for hearing, the court may  
4 disallow these claims by default. If there is a timely objection  
5 or request for hearing, the debtor's counsel shall set the claim  
6 objections for hearing in ten days' written notice to the  
7 objecting/requesting party and the trustee.

8  
9 Dated: October 1, 2010 PETER N. HADIARIS, ESQ.

10 **Peter N. Hadiaris**  
11 Peter N. Hadiaris, Esq.  
12 Attorney for debtor  
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CERTIFICATE OF SERVICE

CCP 1013a (2)

I, Peter N. Hadiaris, declare:

I am an active member of the State Bar of California and not a party to this case. My business address is 600 Harrison St., Ste 120, San Francisco, CA 94107.

I served this document by enclosing it in a sealed envelope and depositing it in the mail in San Francisco, California with postage fully prepaid, addressed to the other parties or attorneys of record as follows:

Date of service: September 24, 2010

Document(s) served: objection to claim

Persons served: CT Corporation Service  
818 W 7<sup>th</sup> St.  
Los Angeles, CA 90017  
Michael Bannister, CEO  
Ford Motor Credit Company  
Drawer 55-953; P O Box 55000  
Detroit, MI 48255-095

Executed on September 24, 2010 in San Francisco,  
California. I declare under penalty of perjury that the  
foregoing is true and correct.

*Peter N. Hadiaris*

Peter N. Hadiaris, Esq.